## **Amendments to the Claims:**

1-68. (Canceled)

69-122. (Canceled)

123. (Previously Presented) A kit for detecting Her-2/neu gene or protein in a test sample, comprising:

metal ions selected from the group consisting of silver, gold, iron, mercury, nickel, copper, platinum, palladium, cobalt, iridium ions and a mixture thereof; an oxidizing agent; a reducing agent; an enzyme; and a binding moiety that binds to Her-2/neu gene or protein in the test sample.

- 124. (Previously Presented) The kit of claim 123, wherein the binding moiety is a nucleic acid probe predetermined to bind to Her-2/neu gene.
- 125. (Previously Presented) The kit of claim 124, wherein the nucleic acid probe is labeled with biotin.
- 126. (Currently Amended) The kit of claim 123, wherein the <u>binding</u> moiety is a primary antibody predetermined to bind to the Her-2/neu protein.
- 127. (Previously Presented) The kit of claim 126, wherein the enzyme is conjugated to a secondary antibody that binds to the primary antibody.
- 128. (Previously Presented) The kit of claim 123, wherein the enzyme is peroxidase; the metal ions are silver ion; the oxidizing agent is hydrogen peroxide; and the reducing agent is hydroquinone.

129-136. (Canceled)